

## JURISDICTIONAL QUESTION

Please address whether the November 13, 2024 Decision and Order of the National Labor Relations Board (the “Board”) is final for purposes of Amazon’s petition for review thereof. *See* 29 U.S.C. § 160(f) (providing that an aggrieved party may petition this Court for review of a “final order of the Board”); *Bennett v. Spear*, 520 U.S. 154, 177-78 (1997) (holding that, for an agency action to be appealable under the Administrative Procedure Act as a “final” agency action, the action must mark the consummation of the agency’s decisionmaking process, and it must be an action by which rights or obligations have been determined, or from which legal consequences will flow); *In re MDL-1824 Tri-State Water Rts. Litig.*, 644 F.3d 1160, 1181 (11th Cir. 2011) (applying the *Bennett* test to an appeal from an action by the United States Army Corp of Engineers); *Tennessee Valley Auth. v. Whitman*, 336 F.3d 1236, 1248 (11th Cir. 2003) (applying the *Bennett* test to an action by the Environmental Protection Agency). Specifically, address whether the order is final, given that the Board ordered that “complaint paragraphs 15(a) and 16(a) are severed and retained for further consideration.”